



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2014-17

LEGISTAR #: 20140851

PROPERTY OWNERS:

**AFW, LLC
% Hiram N. Wilson, III
Managing Member
1685 Mars Hill Road
Building 200, Suite 200
Acworth, GA 30101**

APPLICANT:

**Steven F. McNeel
P. O. Box 3236
Marietta, GA 30061**

PROPERTY ADDRESS:

White Circle (vacant property)

PARCEL DESCRIPTION:

Land Lot 08630, District 16, Parcel 0050

AREA: 4.55 acs.

COUNCIL WARD: 4B

EXISTING ZONING:

LI (Light Industrial)

REQUEST:

LI (Light Industrial)

**FUTURE LAND USE
RECOMMENDATION:**

MDR (Medium Density Residential)

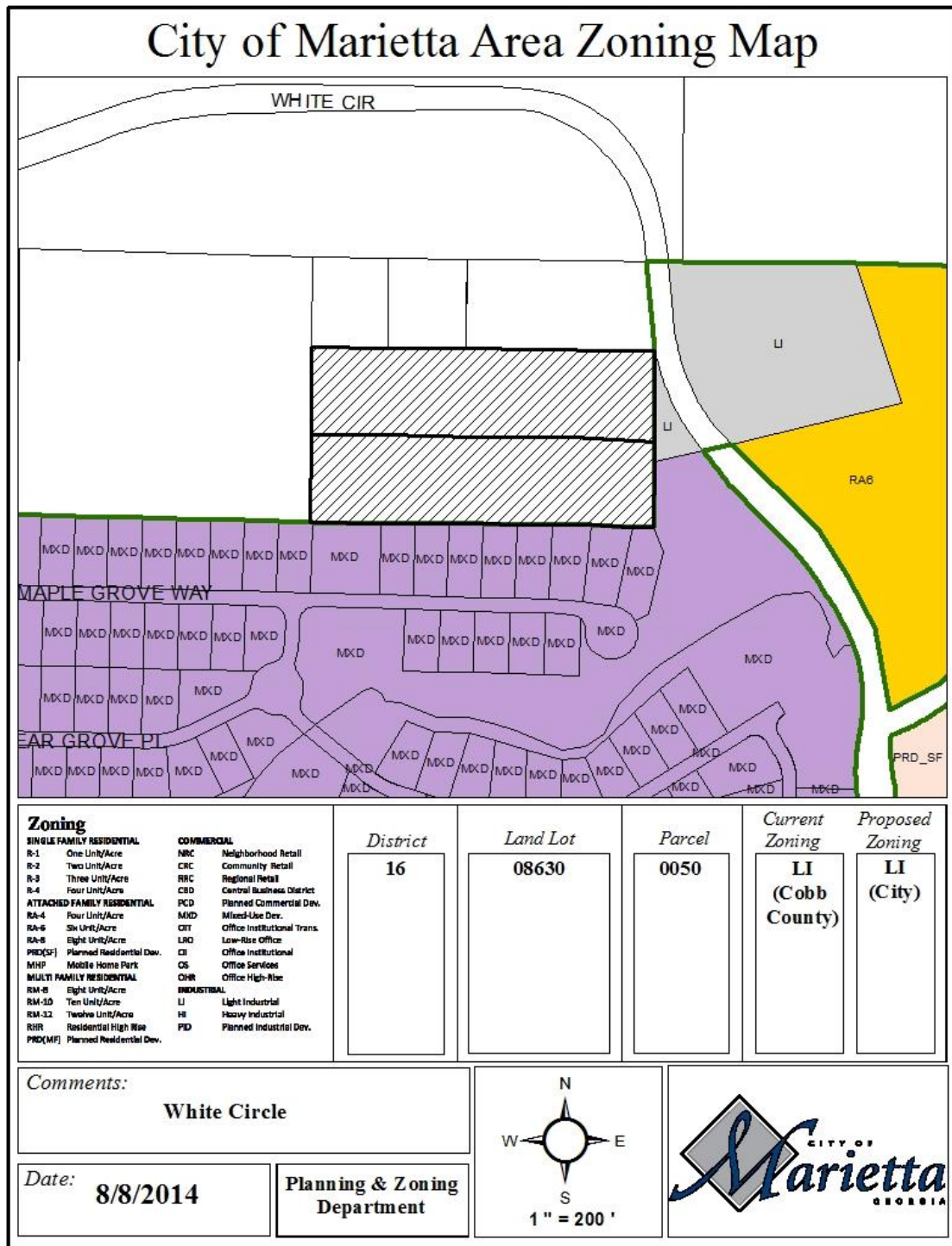
REASON FOR REQUEST:

The applicant is requesting the rezoning of this property for the purpose of constructing a warehouse.

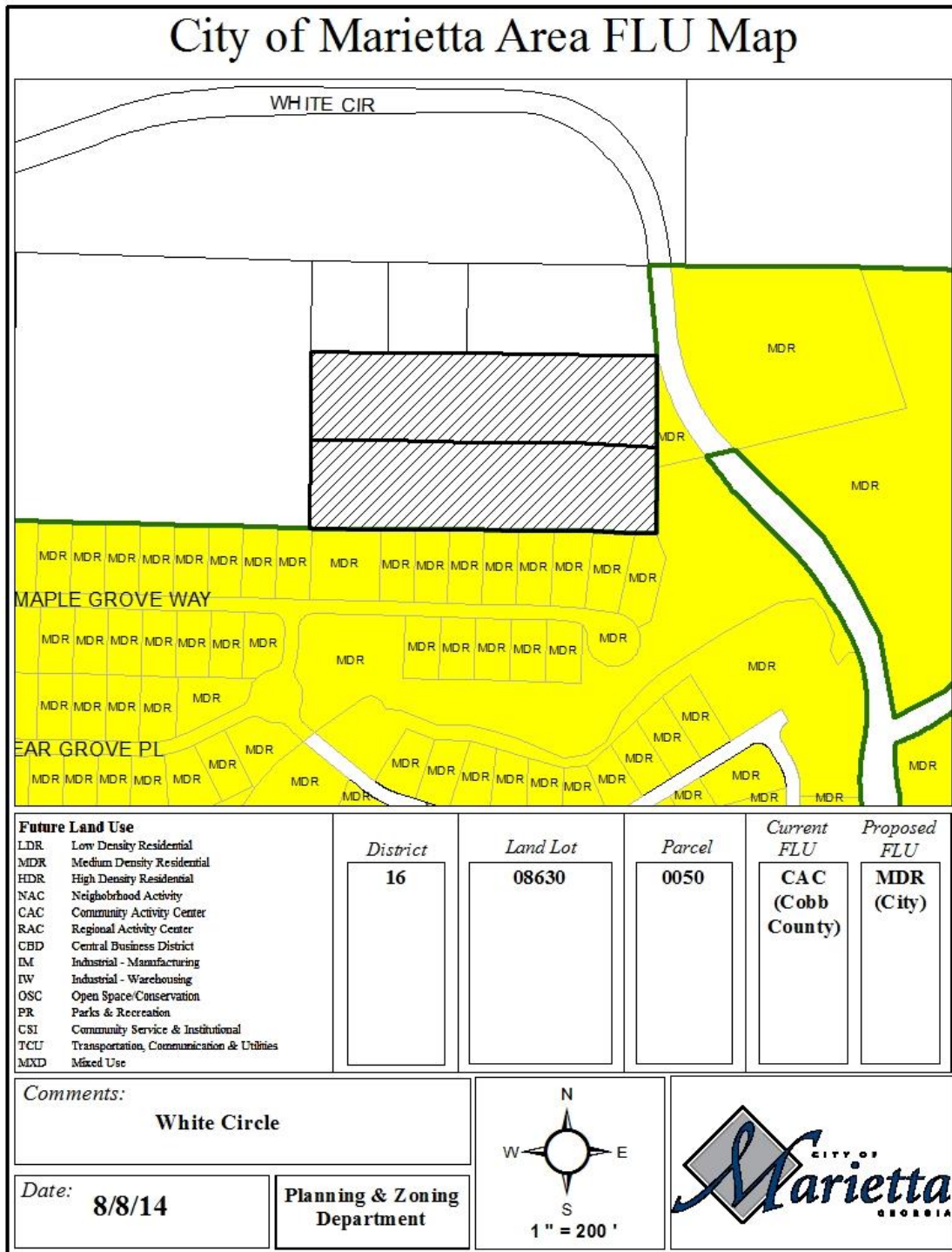
PLANNING COMMISSION HEARING: Tuesday, September 2, 2014 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, September 10, 2014 – 7:00 p.m.

MAP



FLU MAP



PICTURES OF PROPERTY



White Circle property



White Circle property



Interior of White Circle property



View inside of parcels off White Circle

STAFF ANALYSIS

Location Compatibility

The applicant, Steven F. McNeel, representing the property owner, Hiram Wilson of AFW, LLC, is requesting to annex and rezone a 4.55 acre parcel of property located off White Circle from LI (Light Industrial) in Cobb County to LI (Light Industrial) in City of Marietta. The intent is to build a warehouse and the plans are currently being developed.

Adjacent properties to the north and west are located in Cobb County and are zoned LI (Light Industrial). Hamilton Grove - a residential subdivision - is adjacent to the south, and is zoned MXD (Mixed Use Development). The property to the east of the subject property is Atlanta Trading Properties, LLC and is also zoned LI (Light Industrial).

Use Potential and Impacts

The applicant has indicated his desire to develop the property as a warehouse and distribution business, but has not prepared plans indicating the size or specific location of any proposed buildings. Although the annexation and rezoning request is for LI (Light Industrial) - the same zoning category that it is currently zoned in the City - the list of permitted uses may be slightly different in the City of Marietta, as compared to those allowed in the County under the LI (Light Industrial) category.

As previously indicated, the parcels abuts a residential neighborhood to the south, but the development is zoned MXD, which does not require a landscape buffer that is typically required when adjacent to residential property. In a typical scenario, a development zoned LI, Light Industrial, would require a 50 foot landscaped buffer to be established along adjacent residential property. Some measure of protection by means of a landscaped buffer may be considered as appropriate in this situation.

The Cobb County Future Land Use Map designates this area as CAC (Community Activity Center), even though it is currently zoned for light industrial uses. The purpose for CAC is to provide for areas that can meet the immediate needs of several neighborhoods or communities. The City of Marietta Comprehensive Plan and the Future Land Use map designates the adjacent areas that are within the city limits as Medium Density Residential (MDR). The purpose of MDR is to provide for areas that are suitable for medium density housing with densities from three to six dwellings per acre. The LI zoning category is not compatible with the future land use designations either for the County or the City.

STAFF ANALYSIS CONTINUED

Environmental Impacts

There is no indication of any endangered species and topographical issues on the property. However, a review by the Department of Public Works has noted that there is a stream located on the property that requires (1) a 25' State mandated stream buffer; (2) a City mandated 50' buffer stream; and (3) a 75' impervious area setback that is not shown on the parcel site map. None of the buffers are indicated on the site plan that has been submitted. In addition, there is potential for the presence of wetlands on the property, which must be determined by the U.S. Environmental Protection Agency.

Economic Functionality

Currently both parcels are vacant, and the applicant indicates that they would like to construct warehouses on the property. In addition, the applicants request to rezone from LI in the County to LI in the City does not in any way constitute a request to change the use associated with the property, only a change in jurisdiction in which it is located.

Infrastructure

The Department of Public Works has identified some concerns regarding sight at the entrance/exit to the property. A study will be required to be reviewed when the site plans are submitted. An acceleration/deceleration lane will be required for the development.

In September 2009 the Department of Public Works noted that the culvert carrying the creek under White Circle was undersized. As part of this site construction, the Public Works Director has requested a meeting to discuss upgrade of this culvert during the development of the property.

History of Property

Because the subject property is currently located in Cobb County, there is no history of variances, rezoning, or special land use permits on file in City records.



ANALYSIS & CONCLUSION

The applicant, Steven F. McNeel, representing the property owner, Hiram Wilson of AFW, LLC, is requesting to annex and rezone a 4.55 acre parcel of property located off White Circle from LI (Light Industrial) in Cobb County to LI (Light Industrial) in City of Marietta. The intent is to build a warehouse and the plans are currently under development.

Adjacent properties to the north and west are zoned LI (Light Industrial) and are located in Cobb County. Hamilton Grove - a residential subdivision - is the adjacent property to the south, and is zoned MXD (Mixed Use Development). Atlanta Trading Properties, LLC, is the owner of the property to the east, which is zoned LI (Light Industrial).

Hamilton Grove - the residential development located to the south of the subject property - is zoned MXD, which does not require a landscape buffer that is typically required when adjacent to residential property. In a typical scenario a development zoned LI would require a 50 foot landscaped buffer to be established along adjacent residential property. Some measure of protection by means of a landscaped buffer may be considered as appropriate in this situation.

The applicant has indicated his desire to develop the property as a warehouse and distribution business, but has not prepared plans indicating the size or specific location of any proposed buildings. Although the annexation and rezoning request is for LI (Light Industrial) - the same zoning category that it is currently zoned in the City - the list of permitted uses may be slightly different in the City of Marietta, as compared to those allowed in the County under the LI (Light Industrial) category.

The Cobb County Future Land Use Map designates this area as CAC (Community Activity Center), even though it is currently zoned for light industrial uses. The purpose for CAC is to provide for areas that can meet the immediate needs of several neighborhoods or communities. The City of Marietta Comprehensive Plan and the Future Land Use map designates the adjacent areas that are within the city limits as Medium Density Residential (MDR). The purpose of MDR is to provide for areas that are suitable for medium density housing with densities from three to six dwellings per acre. The LI zoning category is not compatible with the future land use designations either for the County or the City.

Prepared by:_____

Approved by:_____

DATA APPENDIX

DRAINAGE & ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	NO
What percentage of the property is in the flood plain?	---
What is the drainage basin for the property?	Noonday 4
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	YES
If so, is the use compatible with the possible presence of wetlands?	---
Do stream bank buffers exist on the parcel?	YES – thru center of tract
Are there other topographical concerns on the parcel?	NO
Are the storm water issues related to the application?	---
Potential presence of endangered species in the area?	NO

TRANSPORTATION -

What is the road effected by the proposed change?	White Circle
What is the classification of the road?	White Circle: Local
What is the traffic count for the road?	---
Estimated # of cars generated by the proposed development?	---
Estimated # of trips generated by the proposed development?	---
Do sidewalks exist in the area?	NO
Transportation improvements in the area?	NO
If yes, what are they?	---

- Site Plans will be required for construction and must include, streets, erosion-sedimentation-and pollution control plan, stormwater management (preventing concentrated flows from adjacent property, roads, and areas), stormwater quality (bioretention or other), and any other applicable improvements required by City Code and Georgia Stormwater Management Manual. Additional comments will be made at time of site plan submittal, if it is required. There can be no point discharge onto adjacent property which is not into a stream, defined drainageway, or storm sewer. Discharge will not be allowable at the property line, or into the street R.O.W. If easements are required for drainage through adjacent property, then the owner is to obtain.
- Please utilize the March 4, 2013 FEMA FIRM Panel 13067C0102 available from Cobb GIS for the 100 year flood plain. Please also delineate the Future Conditions flood plain as well as the 100 year flood plain per Ordinance and GA EPD requirements.
- The 25' state mandated stream buffer is not shown. The 50' City stream buffer is not shown. The 75' impervious area setback is not shown.
- A 5' sidewalk with 2' grass strip along the curb of White Circle is required. If additional R.O.W. is required in order for the sidewalk to remain in the R.O.W., then a Quit Claim deed will be required.
- In September 2009 it was clearly evident that the culvert under White Circle carrying the creek was undersized. As part of this site construction, the Public Works Director requests a meeting to discuss upgrade of this culvert.
- An acceleration / deceleration lane is required for the development.
- Public Works has some concerns regarding sight distance to the left of the entrance / exit. A study will be required at time of Site Plans.



DATA APPENDIX CONTINUED

MARIETTA POWER – ELECTRICAL

Does Marietta Power serve this site?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If not, can this site be served?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
What special conditions would be involved in serving this site?		
Additional Comments:		

MARIETTA FIRE – EMERGENCY SERVICES

Nearest city or county fire station from the development?	Station 56
Distance to the nearest station?	3.2 miles
Most likely station for 1 ST response?	Station 56
Service burdens at the nearest city fire station (under, at, or above capacity?	None
<p>Other than the questions above, please comment on any issues you might have concerning this request for rezoning or variance.</p> <p><u>Comments:</u></p> <p>*Comply with all state and local codes for occupancy classification including but not limited to sprinkler system, fire alarm system, and protection of hazards.</p>	

DATA APPENDIX CONTINUED

COBB COUNTY WATER

Is there a water line adjacent to the property?	Yes
If not, how far is the closest water line?	
Size of water line?	8-inch
Capacity of water line?	
Approximate water usage by proposed use?	

WASTEWATER –

Is a sewer line adjacent to the property?	No
If not, how far is the closest sewer line?	130' south in Maple Grove Way w/easement; also 480' south in White Circle r-o-w
Size of sewer line?	8" in Maple Grove Way 10" in White Circle
Capacity of the sewer line	A.D.F. Peak
Estimated waste generated by proposed development?	
Treatment Plant Name?	Noonday
Treatment Plant Capacity?	20 MGD monthly average
Future Plant Availability?	0-5 years